



# NORFOLK

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October 27, 2015

To the Honorable Council  
City of Norfolk, Virginia

Re: Tax Overpayment  
Crab Addison, Inc.

**R-8**

Dear Ladies and Gentlemen:

Attached please find an ordinance directing the City Treasurer to issue a refund to Crab Addison, Inc. in the amount of \$2,892.58 based upon the overpayment of its Business License Tax for the year 2015, resulting in a refund due of \$2,892.58, plus interest.

Respectfully submitted,

Bernard A. Pishko  
City Attorney

Recommendation: Adopt Ordinance

9/28/2015mr

Form and Correctness Approved: *RAP*

By *Michelle J. Fox*

Office of the City Attorney

Contents Approved:

By *C. L. Paul*

DEPT. Commissioner of the Revenue

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund from which it is drawn and not appropriated for any other purpose.

\$ 2892.58

1000 104 010

Account

10/6/15

Date

4101

*Christine Deryn*  
Acting Director of Finance

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE DIRECTING THE CITY TREASURER TO ISSUE A REFUND TO CRAB ADDISON, INC. BASED UPON THE OVERPAYMENT OF ITS BUSINESS LICENSE TAX FOR THE YEAR 2015.

- - -

WHEREAS the Commissioner of the Revenue has determined that the business license tax was erroneously overpaid by Crab Addison, Inc. for the tax year 2015, and has corrected this assessment in accordance with Virginia Code § 58.1-3981; and

WHEREAS the Commissioner of the Revenue has certified with the consent of the City Attorney that the aforementioned taxpayer paid all taxes due on the erroneous assessment and is entitled to a refund of excess taxes paid based on the corrected assessment in the amount of \$2,892.58, plus interest;

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That \$2,892.58 is hereby appropriated for a refund to Crab Addison, Inc. for the tax year 2015.

Section 2:- That the Treasurer of the City of Norfolk is hereby directed to issue a refund to Crab Addison, Inc. in the amount specified above as soon as practicable upon passage of this ordinance.

Section 3:- That this ordinance shall be in effect from and after its adoption.

**Norfolk Commissioner of the Revenue  
Certification and Request for the Refund  
Of Previously Paid Tax to:**

**Crab Addison, Inc.  
Account Number  
709405/904895**

**September 17, 2015**

**Overview:**

Crab Addison, Inc. closed its Norfolk location on March 2, 2015. Crab Addison is requesting a refund on the unused portion of its 2015 business license.

In compliance with **Norfolk Code § 24-7**, the Commissioner of the Revenue's files pertaining to this request are available for inspection by the City Attorney.

**Fiscal Impact:**

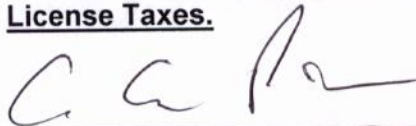
This refund reduces business license tax revenue by **\$2,892.58** for the 2016 fiscal year.

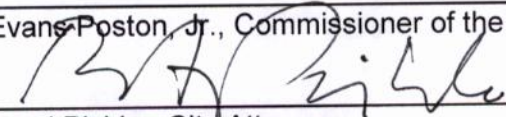
**Conclusion:**

It is recommended that the City Attorney consent to the issuance of the refund and call for City Council to direct the City Treasurer to refund the business license overpayment of **\$2,892.58**.

**Certification**

I, C. Evans Poston, Jr., Commissioner of the Revenue for the City of Norfolk, certify that the above named company is due a refund in the amount of \$2,892.58 as specified by **Virginia Code §58.1-3981** due to the overpayment of **Business License Taxes**.

  
\_\_\_\_\_  
C. Evans Poston, Jr., Commissioner of the Revenue

  
\_\_\_\_\_  
Bernard Pishko, City Attorney

9-21-15  
Date  
9/28/15  
Date